

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

United States of America,

Case No. 3:06CR719

Plaintiff

v.

ORDER

Marwan El-Hindi,

Defendant

This is a criminal prosecution in which the defendant has moved to compel the government to produce the defendant's statements during a March 12, 2003, briefing in Syracuse, New York. [Doc. 507.] The government had subpoenaed the defendant to appear before a grand jury in the Northern District of New York. The defendant seeks records of the F.B.I. and U.S. Attorney's office relating to his interview.

The government opposes the request on several grounds, including secrecy of grand jury materials and proceedings, attorney work product, and general lack of any basis for disclosing the materials. In addition, the government contends that the materials contain nothing of any pertinence to the investigation of and charges against the defendant.

At my direction, the government filed materials responsive to the defendant's request under seal for *in camera* inspection.

I have reviewed those materials, and confirmed that nothing in them relates to the charges against the defendant, and nothing in them appears to be *Brady* material or otherwise subject to disclosure over the government's objection.

The materials, moreover, come within the attorney work product doctrine, as they were made by the Assistant United States Attorney who conducted the interview.

In light of the foregoing, it is

ORDERED THAT the defendant's motion to compel production of statements [Doc. 507] be, and the same hereby is denied

So ordered.

s/James G. Carr

James G. Carr

Chief Judge